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Richard Saghian, an Individual

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

LOS ANGELES DIVISION

In re) Case No. 2:21-bk-18205-DS
CRESTLLOYD, LLC,)
Debtor and Debtor-in-Possession.) Chapter 11
) Assigned to: The Hon. Deborah J. Saltzman
)
) **SUPPLEMENT TO BUYER'S AND**
) **DEBTOR'S JOINT MOTION TO**
) **ENFORCE THE SALE ORDER AND**
) **REQUEST FOR HEARING**
)
) Hearing:
) Date/Time: To be determined
) Place: Courtroom 1639
) 255 E. Temple St.
) Los Angeles, CA 90012
) **VIA ZOOMGOV ONLY**
)
) Dkt. Ref. No. 395
)
)

1 Mr. Saghian respectfully submits this supplemental brief in further support of *Buyer's and*
2 *Debtor's Notice of Motion and Joint Motion (I) To Enforce the Sale Order, and (II) For Issuance of*
3 *an Order to Show Cause Why Andre Mario Smith Should Not Be Held in Contempt of Court* [Docket
4 No. 395] (the "Motion").¹ As provided in the *Declaration of Richard Saghian in Further Support of*
5 *Buyer's and Debtor's Joint Motion to Enforce the Sale Order* filed contemporaneously herewith, Mr.
6 Saghian will suffer significant financial injury if the cloud on his title to the Property caused by the
7 Fraudulent Deed is not addressed prior to October 4, 2022.

8 Given the urgency of obtaining relief that nullifies the Fraudulent Deed's effect on Mr.
9 Saghian's title to the Property, Mr. Saghian respectfully requests that this Court set a hearing date for
10 consideration of such relief while this Court separately considers issuing the Proposed OSC.

11 Accordingly, Mr. Saghian respectfully requests that this Court set a hearing to address the
12 following relief requested in the Motion:

- 13 (i) enter an order (the "Enforcement Order") (a) authorizing the Los Angeles County
14 Recorder's Office to expunge the Fraudulent Deed from the property records and
15 cooperate with any other actions that are necessary to give full force and effect to the
16 Sale Order, and (b) authorizing Mr. Saghian to file a notice in the Los Angeles County
17 Recorder's Office that the Enforcement Order extinguishes the effect of the Fraudulent
18 Deed; and
- 19 (ii) grant such other and further relief as this Court deems just and proper.

20 Dated: September 19, 2022

Respectfully submitted,

SIDLEY AUSTIN LLP

22 By: /s/ Genevieve G. Weiner
23 Genevieve G. Weiner

24 Attorneys for Richard Saghian

25

26

27 ¹ Capitalized terms used but not otherwise defined herein have the meaning ascribed to such terms in
28 the Motion.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
Sidley Austin LLP, 555 West Fifth Street, Los Angeles, CA 90013

A true and correct copy of the foregoing document entitled (*specify*): **SUPPLEMENT TO BUYER'S AND DEBTOR'S JOINT MOTION TO ENFORCE THE SALE ORDER AND REQUEST FOR HEARING** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On September 19, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On September 19, 2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on September 19, 2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

September 19, 2022 Pamela Santos
Date Printed Name

/s/Pamela Santos
Signature

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This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

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